

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Firearm Owners Against Crime,	:	1:15-cv-322
Kim Stolfer, and Joshua First,	:	
Plaintiffs	:	Judge Kane
v.	:	
City of Harrisburg,	:	
Mayor Eric Papenfuse, and	:	
Police Chief Thomas Carter,	:	
Defendants	:	Jury Trial Demanded

**Notice of Constitutional Challenge to  
Pennsylvania Act 192 of 2014**

The City of Harrisburg, Mayor Papenfuse, and Chief Carter hereby notify this Court and the Attorney General for Pennsylvania that of a challenge to Act 192 of 2014 as in violation of the Pennsylvania Constitution. The question is raised in the attached Motion to Dismiss Federal Claims and to Stay or Remand State Claims.

This Notice and the referenced Motion are served on the Attorney General by certified mail. “The court must, under 28 U.S.C. §2403, certify to the appropriate attorney general that a statute has been questioned.” FRCP 5.1(b). Rule 5.1(c) further provides:

Unless the court sets a later time, the attorney general may intervene within 60 days after the notice is filed or after the court certifies the challenge, whichever is earlier. Before the time to intervene expires, the court may reject the constitutional challenge, but may not enter a final judgment holding the statute unconstitutional.

Respectfully submitted,

Lavery Faherty

/s/ Joshua M. Autry

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Attorneys for City of Harrisburg, Mayor

Papenfuse, and Chief Carter

Dated: February 27, 2015

**Certificate of Service**

I certify that on February 27, 2015, I served a true and correct copy of this filing via the ECF System to the following:

Joshua Prince, Esquire  
[joshua@princelaw.com](mailto:joshua@princelaw.com)

I also served this filing by certified mail to:

Pennsylvania Office of Attorney General  
Strawberry Square  
320 Market Street  
Harrisburg, PA 17101

/s/ Aimee L. Paukovits

Aimee L. Paukovits

Legal Secretary to Frank Lavery, Esquire

*This document has also been electronically filed and is available for viewing and downloading from the ECF system.*